

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Statesboro Division

2008 JUL -9 AM 11:22

United States of America

v.

Jermaine McKeever

Date of Previous Judgment: March 2, 2005

(Use Date of Last Amended Judgment if Applicable)

Case No: CR604-00010-009

USM No: 11984-021

Charles W. Barrow

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29

Amended Offense Level: 27

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 108 to 135 months

Amended Guideline Range: 87 to 108 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

The Court will not reduce the defendant's sentence for all the reasons given by the Court at the original sentencing when the Court departed above the advisory guideline range. The Court imposed a sentence of 175 months based on the defendant's criminal conduct, his attempt to mislead the Court with respect to his offense behavior, and his complete irresponsibility in bringing ten children into the world and supporting none of them. The Court also denies the defendant's motion for a Kimbrough reduction.

Except as provided above, all provisions of the judgment dated March 2, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: 7-9-2008


Judge's signature

B. Avant Edenfield

United States District Judge

For the Southern District of Georgia

Printed name and title

Effective Date: _____

(if different from order date)